

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

ROBERT MCCAIG

CASE NO. 6:21-CV-03430

VERSUS

JUDGE ROBERT R. SUMMERHAYS

V C G ENERGY GROUP L L C

**MAGISTRATE JUDGE CAROL B.
WHITEHURST**

ORDER

Before the Court is Plaintiff's Voluntary Motion to Dismiss with Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Defendant, VCG Energy Group, LLC, has not answered or submitted a Motion for Summary Judgment in this case.

IT IS HEREBY ORDERED that the Motion be **GRANTED**, and the claims asserted by Plaintiff, Robert McCaig, in his individual capacity, are hereby **DISMISSED WITH PREJUDICE**. This action was brought by Plaintiff as a putative class action pursuant to 29 U.S.C. §216(b). Since no putative class members have joined the case at this time, this dismissal will not operate as a dismissal with prejudice as to the potential Fair Labor Standards Act claims of any putative class members. The Clerk of Court is hereby directed to enter this order, furnish copies to counsel, and close this file.

THUS DONE AND SIGNED in Lafayette, Louisiana on this 11th day of February, 2022.

A handwritten signature in black ink, appearing to read 'R. Summerhays', written over a horizontal line.

**ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE**